

BILL NO. 16-139

AN ORDINANCE GRANTING A CHANGE IN ZONING CLASSIFICATION FROM PLANNED COMMUNITY COMMERCIAL (CP-2) AND PLANNED INDUSTRIAL (PI) TO PLANNED COMMERCIAL SERVICES (CS), APPROXIMATELY 7.5 ACRES LOCATED AT 700-708 SE OLDHAM COURT, ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE NO. 5209 FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2016-066, requesting a change in zoning classification from Districts Planned Community Commercial (CP-2) and Planned Industrial (PI), to District Planned Commercial Services (CS), approximately 7.5 acres located at 700-708 SE Oldham Court; submitted by the City of Lee's Summit, was referred to the Planning Commission to hold a public hearing; and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for the request on May 10, 2016, and rendered a report to the City Council recommending that the zoning requested be approved; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on July 7, 2016, and rendered a decision to rezone said property.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. That the following described property is hereby rezoned from Districts CP-2 and PI to District CS:

All of Oldham East Business Park Plat.

And

Part of the East ½ of the East 30 acres of the West 60 acres of the East ½ of the Southeast ¼ except part in 50 Highway, of Section 8, Township 47, Range 31, in Lee's Summit, Jackson County, Missouri, described as: Commencing at the Southeast corner of Section 8, Township 47, Range 31; thence North 84 degrees 01 minutes 23 seconds West, along the South property line of said Section 8, a distance of 579.14 feet; thence North 5 degrees 58 minutes 37 seconds East, a distance of 1896.84 feet to the true point of beginning; thence continuing North 5 degrees 58 minutes 37 seconds East, a distance of 519.15 feet to a point on the Southerly right-of-way line, a distance of 187.59 feet; thence South 83 degrees 03 minutes 23 seconds East along said right-of-way line, a distance of 61.00 feet; thence South 5 degrees 58 minutes 37 seconds West, a distance of 530.23 feet; thence in a Westerly direction parallel to the South line of Section 8, Township 47, Range 31, a distance of 248.19 feet to the point of beginning. All that part of the East ½ of the Southeast ¼ of Section 8, Township 47, Range 31, in Lee's Summit, Jackson County, Missouri, described as follows: Commencing at the Southwest corner of the East ½ of the Southeast ¼ of said Section 8; thence due North along the West line of said ½ ¼ section, 1415.70 feet; thence North 89 degrees 52 minutes 00 seconds East, 746.69 feet to a point on the East line of the West ½ of the East 30 acres of the West 60 acres of the East ½ of said ¼ section; thence due North along said East line 501.54 feet to the true point of beginning of the tract of land described, said point also being on the West line of a tract of land deeded to Harley M. Straight, III and Cleta Straight, husband and wife, by Warranty Deeds recorded in Book I-378 at page 1390, as Document No. I-129749; thence due North along said line 216.11 feet; thence South 88 degrees 40 minutes 00 seconds West, 41.00 feet; thence South 1 degree 20 minutes 00 seconds East, 216.05 feet; thence North 88 degrees 40 minutes 00 seconds East, 35.97 feet to the true point of beginning, except that part described as:

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Commencing at the Southeast corner of Section 8, Township 47, Range 31; thence North 84 degrees 01 minutes 23 seconds West, along the South line of said Section 8, a distance of 579.14 feet; thence North 05 degrees 58 minutes 37 seconds East, a distance of 2307.28 feet to the true point of beginning; thence continuing North 05 degrees 58 minutes 37 seconds East, a distance of 122.64 feet to a point on the Southerly right-of-way line of US 50 Highway; thence South 84 degrees 19 minutes 23 seconds East, along said right-of-way line, a distance of 176.17 feet; thence South 05 degrees 58 minutes 37 seconds West, a distance of 11.00 feet; thence South 84 degrees 01 minutes 23 seconds East along a line parallel with the South line of said Section 8, a distance of 13.83 feet; thence South 05 degrees 58 minutes 37 seconds West, a distance of 112.56 feet; thence North 84 degrees 01 minutes 23 seconds West along a line parallel with the South line of said Section 8, a distance of 190.00 feet to the true point of beginning, except that part in Oldham Parkway and South Outer Road.

SECTION 2. That failure to comply with all of the provisions contained in this ordinance shall constitute violations of both this ordinance and the City's Unified Development Ordinance, enacted by Ordinance No. 5209 and amended from time to time.

SECTION 3. That this ordinance shall be in full force and effect from and after the date of its passage and adoption, and approval by the Mayor.

PASSED by the City Council of the City of Lee's Summit, Missouri, this _____ day of _____, 2016.

Mayor *Randall L. Rhoads*

ATTEST:

City Clerk *Denise R. Chisum*

APPROVED by the Mayor of said city this ____ day of _____, 2016.

Mayor *Randall L. Rhoads*

ATTEST:

City Clerk *Denise R. Chisum*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*